



#14

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Scott Clare et al

Docket No.: SC/C-I-P-4C

Serial No.: 09/083,422

Art Unit: 3615

Filed: May 22, 1998

Examiner: A. Pike

For: Hidden Storage for Vehicles

RENEWED PETITION TO THE COMMISSIONER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to a decision mailed April 15, 1999 on the Petition to the Commissioner filed November 4, 1998 under the provisions of 37 CFR 1.181 in the above-identified application, kindly consider the following:

Item 2 of the Petition filed November 4, 1998 was directed to the objections raised by the Examiner on pages 15-16 (paragraph 16) and pages 17-18 (paragraph 21) of the Office Action mailed 10/9/98.

Item 2 of the Petition was dismissed on the basis that:

"The storage boxes and wheel well of Figures 10-12 however are different 'elements' in that they represent different embodiments of the box and of the well."

The statement does not accurately reflect the issue in that

storage boxes 103 and wheel wells 104 in Figures 9-12 are elements of the "modifications of the fender/side panels of the hidden storage system" (see page 14, lines 9-25 of Applicants' specification), and modifications of the "fender/side panels of the hidden storage system" are indicated by different reference numerals "100" and "100'" in Figures 9-12. The issue is not merely concerned with elements 103 and 104 of Figures 10-12.

The issue raised in item 2 of the Petition was not merely directed to "elements" 103 and 104 in Figures 9-12, but also to the Examiner's similar objections to Figures 13-14 and 15-16, with the primary issue being relative to MPEP 608.02(p)(4) and the "Guide for the Preparation of Patent Drawings". It is noted that the decision is totally silent as to the objections raised by the Examiner relative to Figures 13-14 and 15-16, and as being consistent or inconsistent with respect to MPEP 608.02(p)(4) and the "Guide". MPEP 608.02(p)(4) was quoted in item 2 of the Petition and it is not understood why a decision relative to item 2 did not address this section of the MPEP, and such is requested.

The issue stated in item 2 of the Petition is restated as follows:

"Must the identical component, when illustrated in two or more figures, be given a different reference numeral in each figure?"

It is submitted that the Examiner's objections to Figures 10-12, 13-14, and 15-16 requiring different reference numerals for

the same component in different figures is in contradiction to MPEP 608.02(p)(4) and to the "Guide for the Preparation of Patent Drawings" published by the Patent and Trademark Office, and it is again requested that this issue be specifically addressed.

Conclusion

Reconsideration of the dismissal of item 2 of Applicants' Petition filed November 4, 1998 is requested. This same or a similar issue has been raised by petition in copending applications Serial No. 08/896,392 and Serial No. 09/082,281 being examined by the same Examiner. Thus, an early resolution of this issue is requested.

Date: 4-21-99

Respectfully submitted,

L. E. Carnahan

L. E. Carnahan
Agent for Applicants
Reg. No. 20,555
Tel. No. (801) 731-5304